

**This document has been electronically entered in the records of the United States Bankruptcy Court for the Southern District of Ohio.**

**IT IS SO ORDERED.**

**Dated: September 13, 2021**



  
**C. Kathryn Preston**  
**United States Bankruptcy Judge**

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

In Re: BRIAN J. HALENAR : Case No: 18-50708  
KATIE A. HALENAR :  
 : CHAPTER 13  
Debtor(s) : Judge C KATHRYN PRESTON

**AGREED ORDER ON TRUSTEE'S MOTION TO DISMISS (Doc. 120)**

This cause was scheduled for hearing on 9/24/2021 on the Trustee's Motion to Dismiss this Chapter 13 Case (Doc. 120) and the response thereto (Doc. 122) filed by Debtor(s). Upon the agreement of the parties, the Chapter 13 Trustee's Motion to Dismiss shall be held in abeyance to provide Debtor(s) the opportunity to perform under the terms of the confirmed Chapter 13 Plan (the "Plan").

Debtor(s) shall resume full and regular payments into the Plan and cure any plan length issue within sixty (60) days of the date this Agreed Order is entered.

Upon entry of the Agreed Order, Trustee shall adjust his records to reflect Plan funding as current. Any delinquent Plan payments shall be deferred and must be cured within the applicable commitment period, but no later than the sixtieth month of the Plan (or the eighty-fourth month, if the plan length is extended by separate order of the Court).

If the Debtor(s): (1) become more than thirty (30) days in default on any subsequent Plan payment; (2) do not correct any plan length issue within sixty (60) days of the date this Agreed Order is entered; or (3) do not cure any deferred Plan funding delinquency within the applicable commitment period, but no later than the sixtieth month of the Plan (or the eighty-fourth month, if the plan length is extended by separate order of the Court), then the Trustee shall file an affidavit attesting to the default under this Agreed Order and is authorized to contemporaneously submit to the Court an order of dismissal. Upon submission of the Trustee's proposed order of dismissal and affidavit of default, the Motion to Dismiss will be granted without further notice or hearing.

**IT IS SO ORDERED.**

Approved:

/s/Ronald A. Wittel, Jr. by Email authorization 9/8/2021

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Copies to: Default List